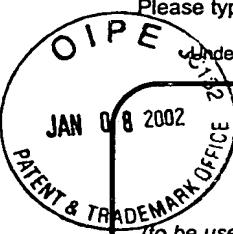


Please type a plus sign (+) in the box → +

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

1

Application Number

09/930,020

Filing Date

August 14, 2001

First Named Inventor

Gish, Kurt C.

Group Art Unit

1642

Examiner Name

Not yet assigned

COPY OF PAPERS
ORIGINALLY FILED

Attorney Docket Number

018501-003100US

ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Response
- After Final...
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s)

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter

Other Enclosure(s)
(please identify below):

One executed inventor Declaration (1 pg.) with Application Data Sheet (4 pgs.); Authorization to charge \$65 to Deposit Account No. 20-1430; Executed PTO/SB/01A Declaration (1 pg.) with Application Data Sheet (4 pages); Communication Under 37 CFR §§ 1.821-1.825 and Preliminary Amendment (5 pgs.), Version with Markings to Show Changes Made (3 pgs.), 1 diskette of Sequence Listing; Paper copy of Sequence Listing (4 pages), Copy of Notice to File Missing Parts of Nonprovisional Application (2 pages); Certificate of First Class Mailing and Return Postcard.

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Kevin Bastian	
Signature		
Date	November 9, 2001	

CERTIFICATE

MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:
November 9, 2001

Typed or printed name

Jill R. Clarke

Signature

Date

November 9, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
SF 1289774 v1

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.



FEES TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 65

Complete If Known

Application Number	09/930,020
Filing Date	August 14, 2001
First Named Inventor	Gish, Kurt C.
Examiner Name	

Group Art Unit

COPY OF PAPERS
ORIGINALLY FILED

Attorney Docket No. 018501-003100US

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number
20-1430

Deposit Account Name
Townsend and Townsend and Crew LLP

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205	Surcharge - late filing fee or oath	65
127	50	227	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	Non-English specification	
147	2,520	147	For filing a request for reexamination	
112	920*	112	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	Requesting publication of SIR after Examiner action	
115	110	215	Extension for reply within first month	
116	400	216	Extension for reply within second month	
117	920	217	Extension for reply within third month	
118	1,440	218	Extension for reply within fourth month	
128	1,960	228	Extension for reply within fifth month	
119	320	219	Notice of Appeal	
120	320	220	Filing a brief in support of an appeal	
121	280	221	Request for oral hearing	
138	1,510	138	Petition to institute a public use proceeding	
140	110	240	Petition to revive - unavoidable	
141	1,280	241	Petition to revive - unintentional	
142	1,280	242	Utility issue fee (or reissue)	
143	460	243	Design issue fee	
144	620	244	Plant issue fee	
122	130	122	Petitions to the Commissioner	
123	50	123	Petitions related to provisional applications	
126	180	126	Submission of Information Disclosure Stmt	
581	40	581	Recording each patent assignment per property (times number of properties)	
146	740	246	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	Request for Continued Examination (RCE)	
169	900	169	Request for expedited examination of a design application	
Other fee (specify)				

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$65

**or number previously paid, if greater; For Reissues, see above

Complete (if applicable)

Name (Print/Type)	Kevin Bastian	Registration No. (Attorney/Agent)	34,774	Telephone	415-578-0200
Signature				Date	November 9, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2030.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. SF 1289787 v1



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/930,020	08/14/2001	Kurt C. Gish	018501-000830US

20350
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834



CONFIRMATION NO. 2304

FORMALITIES LETTER



OC000000006547947

Date Mailed: 09/13/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

**COPY OF PAPERS
ORIGINALY FILED**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - Line spacing on the specification, claims, or abstract is not 1-1/2 or double spaced (See 37 CFR 1.52(b)).
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable

form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Annabel
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE